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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

V SHRED, LLC.

CASE NO.: 2:21-cv-01344-JCM-VCF

**Plaintiff.**

V.

GRAVITY TRANSFORMATION LLC, a Texas company, and GEORGE PERELSHTEYN, an individual,

### Defendants.

## **STIPULATION AND ORDER TO EXTEND DISCOVERY DEADLINES**

## [FIRST REQUEST]

Plaintiff V SHRED, LLC (“Plaintiff”) and Defendants GRAVITY TRANSFORMATION LLC and GEORGE PERELSHTEYN (collectively “Defendants” and together with Plaintiff, “Parties”), by and through their attorneys, and pursuant to LR IA 6-1 and 26-3, submit the following Stipulation to Extend Time to Take Discovery up to and including July 29, 2022. In support of the Stipulation, the Parties state the following:

1       1.     Statement Specifying the Discovery Completed. Defendants have served their  
 2 First Set of Requests for Production of Documents, their First Set of Interrogatories. Plaintiff  
 3 served its responses to the First Set of Requests for Production of Document and First Set of  
 4 Interrogatories. Plaintiff has served its First Set of Interrogatories, its First Set of Requests for  
 5 Production of Documents, its First Set of Requests for Admissions, and has noticed the Deposition  
 6 of Defendant.

7       2.     Description of the Discovery That Remains to be Completed. Plaintiff will need  
 8 to take Defendant Gravity Transformation LLC's 30(b)(6) deposition and Defendant George  
 9 Perelshteyn's deposition and disclose expert witnesses. Plaintiff will also supplement its  
 10 discovery responses. Defendants will respond to Plaintiff's discovery requests, and Defendants  
 11 will be seeking the deposition of Plaintiff's 30(b)(6) representative and other plaintiff witnesses,  
 12 including without limitation the author(s) of the copyrighted work that is the subject of this action.  
 13 Defendants will also be subpoenaing documents and taking the deposition of third-parties whose  
 14 content they allege Plaintiff copied and copyrighted. Defendant will be disclosing expert  
 15 witnesses regarding the scope of the work protectable under copyright, scenes a fair, and prior  
 16 works baring the enforceability of Plaintiff's copyrights in this action, as well as an expert on  
 17 applicable damages. The Parties will seek to depose all experts and may disclose rebuttal experts  
 18 as well, which the Parties will then depose.

19       3.     The Reasons why Discovery was not Completed Within the Time Limits. Good  
 20 cause exists, pursuant to LR 26-3 and LR 26-3(c). In an attempt to avoid the costs and expense  
 21 of complex copyright infringement and revocation litigation and discovery, the Parties engaged  
 22 in several rounds of settlement discussions during the discovery period. Such efforts proved  
 23 unsuccessful. The Parties then reached agreement on and this court entered a stipulated protective  
 24 order. In March 2022, Plaintiff then propounded discovery on Defendants and thereafter provided  
 25 copies of their written responses to Defendant's discovery requests which were apparently not  
 26 received due to a clerical error; however, by that time Defendant's undersigned counsel was in  
 27 final preparations for a complex and extensive monthlong trial that is not set to conclude until

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1 May 6, 2022. As such, Defendants would be unable to have the representation of counsel prior  
 2 to the deadline for responses to discovery which would otherwise necessitate a motion for a  
 3 protective order and to extend discovery in the absence this stipulation of the Parties. The current  
 4 discovery deadline of May 27, 2022 is now inadequate to provide the time required to complete  
 5 discovery in this complex matter for either party. Absent this requested amendment, both Parties  
 6 would be prejudiced, as the Parties need to extend discovery deadlines to complete discovery,  
 7 including the disclosure and deposition of several experts. To streamline this process, as  
 8 discussed herein, the Parties propose permitting the disclosure and deposition of experts and  
 9 rebuttal experts after the completion of fact discovery to give their respective experts the benefit  
 10 of all factual discovery.

11       4.     A Proposed Schedule for Completing All Remaining Discovery. Currently, the  
 12 Discovery Cut-off Date is Friday, May 27, 2022; the expert disclosure deadline is Monday, March  
 13 28, 2022; the rebuttal expert disclosure deadline is Wednesday, April 27, 2022; the dispositive  
 14 motions deadline is Monday, June 27, 2022; the Pretrial Order deadline is Wednesday, July 27,  
 15 2022. The Parties propose the following dates:

- 16           A.     The fact Discovery Cut-off Date shall be Friday, July 29, 2022;
- 17           B.     The expert disclosure deadline shall be Monday, August 29, 2022, thirty-  
                 one (31) days after the discovery cut-off date of July 29, 2022, as the 30th day falls on a Sunday;
- 18           C.     The rebuttal expert disclosure deadline shall be Wednesday, September 28,  
                 2022, thirty (30) days after the deadline to disclose initial experts, in accordance with LR 26-  
                 1(b)(3).
- 22           D.     The Parties shall have until Friday, October 28, 2022, to take the  
                 depositions of the experts, thirty (30) days after the deadline to disclose rebuttal experts.
- 24           E.     The dispositive motions deadline shall be Monday, November 28, 2022,  
                 thirty-one (31) days after the deadline to take depositions of the experts on October 28, 2022, as  
                 the 30th day falls on a Sunday;

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1       5.     The Pretrial Order deadline shall be Wednesday, December 28, 2022, thirty (30)  
2 days after the deadline for filing dispositive motions date of November 28, 2022, in accordance  
3 with LR 26-1(b)(5).

4       6.     This is the first request to extend time to take discovery, but a stipulation for  
5 extension of time for Defendants to file their responsive pleading was filed on and granted on  
6 August 18, 2021.

7       7.     This request for an extension of time is not intended to cause any undue delay or  
8 prejudice any party.

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1           8. Therefore, the Parties hereby stipulate to extend the deadlines for discovery as  
2 outlined above.

3  
4 Dated March 25, 2022.

5 MCDONALD CARANO LLP

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10 *Attorneys for Plaintiff*

11 Dated March 25, 2022.

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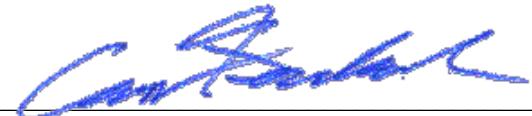
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